

CITY OF SAN BRUNO



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STAFF

Tom Williams
Community Development Director
Aaron Akin, AICP, *Associate Planner*
Pamela Thompson, *City Attorney*
Tanya Benedik, *Recording Secretary*

PLANNING COMMISSIONERS

Perry Petersen, *Chair*
Joe Sammut, *Vice-Chair*
Mary Lou Johnson
Bob Marshall Jr.
Robert Schindler
Mark Tobin
Kevin Chase

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

August 17, 2004
San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:00 p.m.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Petersen	X	
Vice Chair Sammut	X	
Commissioner Johnson	X	
Commissioner Marshall	X	
Commissioner Schindler	X	
Commissioner Chase	X	
Commissioner Tobin	X	

STAFF PRESENT:

Planning Division: Community Development Director: Tom Williams
Associate Planner: Aaron Akin
Community Development Secretary: Tanya Benedik

City Attorney: Pamela Thompson

Pledge of Allegiance **Commissioner Johnson**

1. **Approval of Minutes** Motion Johnson/Second Sammut
2. **Communication** N/A
3. **Public Comment**

4. 101 San Bruno Avenue

Request for a use permit to allow an airport serving parking lot in a commercial zone; per Chapters 12.96 & 12.112 of the San Bruno Zoning Ordinance – San Bruno Airport Parking LLC, (Applicant), San Mateo County Transportation (Owner).

Associate Planner Aknin entered staff report. Staff recommends that the Planning Commission approve UP 04-23 based on Findings of Fact (1-8) and Conditions of Approval (1-23).

Public Hearing Opened

Mr. Parker, local business owner (auto repair and towing) @ 965 San Mateo Avenue, was present to express his concerns regarding signage, and the improvements to the property, and is concerned that just because this is only going to be here for 3 years, that the physical appearance won't be addressed or be a priority. Also, he expressed concern regarding the flow of traffic. Commissioner Johnson asked if he had actual timing information in regards to the traffic. Mr. Parker said that coming west bound on San Mateo Avenue in the a.m. it will take approximately 3 cycles to turn right, in the evening it is 3 – 5 cycles. Commissioner Chase asked Mr. Parker where his business was in relation to this site. He said that they are 2 businesses north of this site. Mr. Kassner, owner of Skypark was present to express his concerns. He said he is primarily concerned with the increase of traffic flow. He also asked about the staging area on this site.

Mr. Martinez was present to answer any questions. Commissioner Marshall asked how many busses they would have. Mr. Martinez stated that right now he is proposing 2 limousines and 2 shuttles. Commissioner Marshall asked about the anticipated flow of traffic. Mr. Martinez stated that the anticipated flow would be coming from the freeway coming west on SB Ave, turning into parking lot from San Bruno Avenue, or making right turn, and left on San Mateo Avenue, although this won't be a main entrance. Commissioner Marshall asked about the parking on the lot, and employee parking. Mr. Martinez replied that they would be doing the parking for the customers, and there are 5 employee parking spots, one would be ADA. Chair Petersen asked Mr. Martinez if it would be ok with him if a condition of approval were added that stated, "Before the parking lot is striped, the layout is to be approved by City Staff". Mr. Martinez stated that would be ok. Commissioner Johnson asked if the timing of the lights has been studied, because she feels that going north on SM Avenue, that right turn lane is used to get around other people. Mr. Martinez stated that he anticipates that most of his traffic would not be coming from San Bruno or Millbrae, but from the freeway. City Engineer Mr. Buck was present to answer questions. He stated that they looked at this project before the last meeting, and they didn't see this use as being as intensive as the former lumberyard. And what is this doing as a level of service impact. What is being proposed is not going to impact the intersection. They did not do a study on this site, because they didn't feel it was necessary because of the amount of traffic is so small and because of the median island on San Bruno Avenue. He also suggested that the driveways not be signed as entrance or exit only; he says that this only leads to more driver confusion than allowing vehicles a 2-way access. Commissioner Johnson asked about the signage that is going to be proposed. Mr. Martinez stated that the sign would be same as the San Bruno Lumber sign, just reading Airport Parking, and made to be new. Commissioner Chase asked Mr. Buck about the timing of the lights on San Bruno Avenue, and how it was triggered. Mr. Buck stated that when an intersection is timed, what they look at is flow movements in all directions and try to balance the amount of time the vehicles have to wait in all directions. Because of the small number of vehicles for this site, they didn't feel that there was any need to modify the lights. Also, the City is in the final stages of a signal interconnect project, and there are timing plans associated with that where the City will look at making some modifications to this intersection.

Commissioner Schindler asked Mr. Sanchez if he read all the conditions of approval, and agreed with them. Mr. Sanchez replied that he did. Vice Chair Sammut commended the applicant with the set of plans that were presented this month.

Public Hearing Closed

Commissioner Marshall asked if there could be a condition of approval to be added that would ensure that everything including signage would be completed prior to business being started. Vice Chair Sammut stated that this was already covered in the conditions of approval #4, 7, & 8.

Community Development Director Williams also stated that the Community Development Department is no longer issuing a final on the Building Permit or allows operations of a business until everything including signage has been approved and signed off.

Motion Sammut/Second Chace (#24 regarding removal of the parking spaces)

VOTE: 6-1-0
AYES: 6
NOES: 1 (Johnson)
ABSTAIN: 0

(Chair Petersen advised of 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, August 7, and notices were mailed to property owners within 300 feet of the project site on August 6, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15332: Infill Development.
5. The use of this property as an airport serving parking lot will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use;
6. The use of this property as an airport serving parking lot will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city.
7. The use of this property as an airport serving parking lot is consistent with the general plan, which designates this as a commercial property.
8. This parcel is located within the San Bruno Redevelopment Area.

CONDITIONS FOR APPROVAL

COMMUNITY DEVELOPMENT CONDITIONS (1-9):

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary of Hearing" to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed the Use Permit (UP-04-23) shall not be valid for any purpose. The use permit expires one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one-year date.

2. The proposed airport parking lot shall be operated in a manner consistent with the plans and business description as approved by the Planning Commission on August 17, 2004 except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Director Community Development.
3. Landscaping shall be maintained to the satisfaction of Planning Staff.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.
5. All graffiti shall be removed within 24 hours of reporting.
6. This business shall cease to exist when grade separation construction activity begins, or three years from the date of this approval, whichever is sooner.
7. Planning Staff shall review and approve all signs placed on the property.
8. The applicant shall acquire all applicable building division approvals before beginning operation of this business.
9. If negative impacts of this business exceed expectations, this use permit can be called back to the Planning Commission at the discretion of the Community Development Director and/or City Engineer.

Fire Department Conditions (10-13)

10. Applicant shall provide five-year fire sprinkler certification for all buildings.
11. Applicant shall provide address numbers (minimum 12") visible and legible from San Bruno Avenue and San Mateo Avenue.
12. Applicant shall provide Knox-boxes for each building.
13. A fire lane and fire lane plan shall be maintained to the satisfaction of the of the Fire Department.

Public Works Department (14-15)

14. Applicant shall replace all broken and raised sidewalk surrounding the property to the satisfaction of Public Works Staff.
15. Applicant shall remove grass & weeds from the sidewalk surrounding the property to the satisfaction of Planning Staff.

Police Department (16-18)

16. Lighting shall be installed to the satisfaction of the Police Department.
17. Owners shall be responsible for a security guard monitoring the premises at night. Additional security alarm is also recommended.

18. Business shall list and submit name and contact numbers in case of emergency.

PLANNING COMMISSION CONDITIONS (PER JULY 20, 2004 MEETING) (19-24)

19. All employees of the business must park onsite.

20. No maintenance or washing of vehicles onsite.

21. No storage of inoperable vehicles onsite.

22. Applicant must tear down existing fence and replace it with a 3 ft. fence. This fence is located on the corner of San Mateo Avenue and San Bruno Avenue.

23. Both the San Mateo Avenue and San Bruno Avenue curb cuts shall be used to enter and exit the site. Customer waiting areas shall be established for both entrances.

24. Applicant shall remove 4 parking spaces in order to create clear pathway to rear parking lot

5. 232 San Benito Avenue

Request for a large daycare facility (up to 14 children) in a residential neighborhood; per Chapters 12.96 & 12.112 of the San Bruno Zoning Ordinance – Marcia Garcia (Applicant), Victor Ibanez (Property Owner).

Commissioner Johnson recused herself from this project, as she has property within 500 feet of this property. Associate Planner Akin entered staff report. Staff recommends that the Planning Commission approve Use Permit 04-36 based on Findings of Fact (1-8) and Conditions of Approval (1-11).

Commissioner Marshall asked about the hours of operation. Associate Planner Akin stated that this applicant wants to be licensed to have overnight care. Commissioner Marshall asked if the Planning Commission has a say in the hours of operation. He is concerned that the overnight component may be disruptive for the neighbors. Community Development Director Williams stated that because they are in for a Use Permit, because the request is for more than 8 children, it would be possible to such conditions of approval on an application. City Attorney Thompson cautioned the commission to ensure that any such finding must be related to the requirements in 12.84.200, which means your decision has to be based on whether there is going to be any undue negative impacts in the neighboring vicinity based on traffic, parking, noise and spacing. Commissioner Tobin asked if Day Care projects were not required to have plans to scale, because the drawings that are provided are not, and it is difficult to get a true picture of what is being presented. Associate Planner Akin stated that the City usually just requires the same drawings that the State of California requires for their approval. Chair Petersen asked City Attorney Thompson about the ordinance that has been removed about having 2 facilities within 300 feet, and how the commission is still able to consider the impact of these 2 facilities that are fairly close to each other. City Attorney Thompson stated that under 12.84.200, one could consider concentration of similar facilities within the vicinity of the proposed facility. Associate Planner Akin informed the Commission that the other similar business is directly behind this proposed facility, not next door to each other, or even on the same block. Commissioner Tobin asked about the hours of operation proposed is 7 days a week, 24 hours per day and how that may impact the neighborhood. Associate Planner Akin stated that this facility has been operating like this. He spoke with some of the neighbors about this, and they stated that they have had no negative impacts with the 24hour care.

Commissioner Marshall asked if they approve this project with the 24hour care, if they could remove that part of the condition if it becomes a problem. City Attorney Thompson replied that anytime the Commission approves a condition, it can be brought back if there are specific concerns about the impacts. It would be better to have a condition added that requests to have this project to come back in 6 months if there has been concerns about the impacts.

Commissioner Chase asked what the age limit is for this day care. City Attorney Thompson stated that they are only addressing the land use impact. The age requirement is has to do with the State licensing is not really relevant, unless they are looking at the noise and activity level of older aged children. Associate Planner Aknin did state that they are proposing to have children up to 12 years old. Community Development Director Williams suggested that the commission might want to put a condition on this application that this is reviewed in 6 months, and annually every year thereafter.

Public Hearing Opened

Applicant Ms. Garcia was present to answer any questions. She stated that the reason for the 24-hour care is that she has one parent that used to get off work at 1 a.m. This parent is no longer working those hours. Commissioner Schindler commented on how he came by the site and was surprised to see that there were only 2 children pre sent during mid morning. She informed him that most children don't come until about 11 a.m. He thinks that this is a benefit to the community, since it doesn't interfere with the typical busy time in the morning around 8 a.m. Vice Chair Sammut asked how long she has been licensed. She said for 3 years.

Neighbor at 201 San Benito Avenue, expressed his concern regarding the parking situation in this area. Commissioner Marshall asked this neighbor if he sees a lot of activity in front of this specific property in the past 3 years. Neighbor stated that the whole area is congested, mostly because of the neighbors in the apartments. Commissioner Tobin feels that this application will negatively impact the neighborhood, because there is a site across from the other site day care, and there will be increase-parking issues. Commissioner Marshall feels that the business has been operating for 3 years with 8 children, and the neighbor stated that the parking issues are due to the apartment, not the daycare facility. He would like to have a review in 6 months and every year thereafter, regarding parking and hours of operation.

Public Hearing Closed

Motion Marshall/Second Chase #12 no amplified music, #13 no advertising on site, #14 have a review in 6 months and every year thereafter

VOTE:	6-1-0
AYES:	6
NOES:	Tobin
ABSTAIN:	0

(Chair Petersen advised of 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, August 7, 2004, and notices were mailed to property owners within 300 feet of the project site on August 6, 2002.
2. Notice of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, Chapter 12.132.

3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Existing Facilities.
5. The use permit to operate a large family day care home at the house at 232 San Benito Avenue will not be injurious or detrimental to the property and improvement in the neighborhood or to the general welfare of the City because the use is compatible with existing residential uses in the neighborhood and complies with the requirements of the San Bruno Zoning Ordinance.
6. The general appearance of the dwelling is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because no alterations are proposed for the house as a part of this specific application.
7. The proposed use of the property will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
8. The proposed use of the property is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-16 shall not be valid for any purpose.
2. The request for a use permit for a large family day care home at 232 San Benito Ave. shall operate according to plans approved by the Planning Commission on August 17, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. Parents and guardians dropping off and picking up children from the home shall be directed to not honk their car horn. Neighborhood noise complaints could result in this application being called back up to the Planning Commission for revocation.
4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
5. Children shall be supervised when outdoors to control noise levels.
6. The applicant shall obtain a license from the State of California to operate a large home family day care center.
7. The parents/guardians must park in driveway when picking up and dropping off their children.
8. The number of children shall be limited to a maximum of fourteen (14) at any one time, including any of the applicant's own children.

9. Children outdoors shall be supervised at all times.
10. The applicant shall have the home inspected by the Fire Department and Building Department for compliance with all applicable requirements of the California Health and Safety Code.
11. The front yard area must be gated off to act as a barrier between the play area and the driveway. This must be done to the satisfaction of the Fire Department.

Conditions from Planning Commission

12. No amplified music
13. No Advertising on site
14. Project is to be reviewed in 6 months and annually thereafter regarding parking issues, and hours.

6. 640 Hensley Avenue

Request for a use permit to allow construction of an addition would result in a greater than 50% expansion to the existing residence; per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance – Jose Casco, Applicant & Ferdinand Morales, Owner. **UP-04-28**

Redevelopment Manager Sullivan entered staff report. Staff recommends that the Planning Commission approve Use Permit 04-28 based on Findings of Fact (1-8) and Conditions of Approval (1-16).

Public Hearing Opened

Owner, Ms. Morales was present to answer questions. Commissioner Marshall asked if an extra window could be put in the top story to make it look better. Ms. Morales agreed. Commissioner Tobin asked for a color sample.

Public Hearing Closed

Motion Tobin/Second Schindler (possible changing window on top story with staff's approval)

VOTE:	7-0-0
AYES:	7
NOES:	0
ABSTAIN:	0

(Chair Petersen advised of 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, August 7, 2004, and notices were mailed to property owners within 300 feet of the project site on August 6, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.

3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

COMMUNITY DEVELOPMENT CONDITIONS (1-8):

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-28 shall not be valid for any purpose. Use Permit 04-28 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings
3. The request for a Use Permit for a new addition to an existing home shall be built according to plans approved by the Planning Commission on August 17, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of two (2) motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. No combustible construction within 3 feet of the property line unless fire rated.

FIRE DEPARTMENT CONDITIONS (9-10)

9. Provide hardwire smoke detectors that interconnect per CBC.
10. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

PUBLIC WORKS CONDITIONS (11-16)

11. No fence, retaining wall, or other permanent structure shall be placed within 2.0' from the back of the sidewalk.
12. An encroachment permit shall be obtained through the Public Works Department prior to issuance of the Building Permit.
13. Install a sanitary sewer lateral clean-out per City standards.
14. Storm water from new roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
15. Paint address number on face of curb near driveway approach. Black lettering on white background.
16. Replace all broken or raise concrete sidewalk or driveway approach as marked.

7. 844 3rd Avenue

Request for a use permit to allow construction of an addition which proposes a greater than 50% expansion of gross floor area, and a minor modification permit to allow 47.9% lot coverage, per Section 12.200.030.B.1 & 12.120.010 of the San Bruno Zoning Ordinance. Jamie Valle, owner and Ruben Placencia & Miguel Capet, applicant. **UP-04-35, MM-04-06.**

Redevelopment Manager Sullivan entered staff report. Staff recommends that the Planning Commission approve Use Permit 04-35 & Minor Modification 04-06, based on Findings of Fact (1-9) and Conditions of Approval (1-16).

Public Hearing Opened

Mr. Valle was present to answer any questions.

Public Hearing Closed

Motion Sammut/Second Tobin

VOTE: 7-0-0
AYES: 7
NOES: 0
ABSTAIN: 0

(Chair Petersen advised of 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, August 7, 2004, and notices were mailed to property owners within 300 feet of the project site on August 6, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor Expansions to Existing Facilities.
5. The general appearance of the home addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed residential addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the new addition to the existing home is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.
9. Addition is entirely to the rear of the existing residence, and would not significantly affect the appearance and mass of the building from the street elevation.

CONDITIONS FOR APPROVAL

COMMUNITY DEVELOPMENT CONDITIONS (1-8):

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-35 and Minor Modification 04-06 shall not be valid for any purpose. Use Permit 04-35 and Minor Modification 04-06 shall expire one (1) year from the date of

Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings
3. The request for a Use Permit and Minor Modification for a new addition to an existing home shall be built according to plans approved by the Planning Commission on August 17, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of one (1) motor vehicle and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. No combustible construction within 3 feet of the property line unless fire rated.

FIRE DEPARTMENT CONDITIONS (9-10)

9. Provide hardwire smoke detectors that interconnect per CBC.
10. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

PUBLIC WORKS CONDITIONS (11-16)

11. An encroachment permit shall be obtained through the Public works Department prior to issuance of the Building Permit.
12. Install a sanitary sewer lateral clean-out per City standards.
13. Storm water from new roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
14. Paint address number on face of curb near driveway approach. Black lettering on white background.

15. Replace all broken or raise concrete sidewalk or driveway approach as marked.
16. No fence, retaining wall, or other permanent structure shall be placed within 2.0' from the back of the sidewalk.

8. 437 Hazel Avenue

Request for a use permit to allow construction of an addition which proposes a greater than 50% expansion of gross floor area and exceeds the .55 floor area ratio guideline, per Section 12.200.030.B.1 & 12.200.030.B.2 of the San Bruno Zoning Ordinance. Steve Lesley (Architect/Applicant); Ed Zahursky (Owner)— **UP-04-36**

Associate Planner Aknin entered staff report. Staff recommends that the Planning Commission approve Use Permit 04-36 based on Findings of Fact (1-8) and Conditions of Approval (1-16). The sunroom on the left hand side of the house will be removed in the process of this project.

Public Hearing Opened

Mr. Leslie, Architect, was present to answer any questions. Commissioner Schindler commended Mr. Leslie on this project, and what would be happening with the fence on the side of the house. Mr. Leslie replied that the fence would be replaced. Commissioner Tobin also commended the architect on this project. Commissioner Chase asked what the color of the roof would be. Mr. Leslie was not sure but it would most likely be either a charcoal or tan.

Public Hearing Closed

Motion Johnson /Second Chase to approve Use Permit 04-36 based on Findings of Fact (1-8) and Conditions of Approval (1-16). The sunroom on the left hand side of the house will be removed in the process of this project.

VOTE:	7-0-0
AYES:	7
NOES:	0
ABSTAIN:	0

(Chair Petersen advised of 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, August 7, 2004, and notices were mailed to property owners within 300 feet of the project site on August 6, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorical Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.

5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL

Community Development (1-8)

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-36 shall not be valid for any purpose. Use Permit 04-36 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings
3. The request for a Use Permit & Parking Exception for an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on August 17, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

8. The sunroom on the left hand side of the home shall be removed prior to building department final. If the applicant decides not to go forward with this proposal, the sunroom shall be removed within one year of this approval.

Fire Department (9-10)

9. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
10. Hardwire smoke detectors in shall be installed in the addition area.

Public Works Department (11-16)

11. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
12. An encroachment permit shall be obtained through the Public works Department prior to issuance of the Building Permit.
13. No fence, retaining wall, or other permanent structure shall be places within 2.0' from the back of the sidewalk.
14. Install a sanitary sewer lateral clean-out per City standards.
15. Replace all broken and raised concrete in sidewalk and driveway approach as marked. Will be marked at time of building review.
16. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in public right of way.

9. 765 5th Avenue

Request for a use permit to allow construction of an addition which proposes a greater than 50% expansion of gross floor area, and a minor modification permit to allow the continuation of a 3' left sideyard setback, per Section 12.200.030.B.1 & 12.120.010.B of the San Bruno Zoning Ordinance. – HL Design (applicant/designer), Erik Mendoza (owner).

Associate Planner Akin entered staff report. Staff recommends that the Planning Commission approve Use Permit 04-38 & MM-04-07 based on Findings of Fact (1-9) and Conditions of Approval (1-13).

Commissioner Chase asked Associate Planner Akin why a 2nd parking space was not required. Associate Planner Akin stated that a tandem garage could be recommended as a condition of approval although it is not required by the guidelines, based on the intensity of the use. Commissioner Tobin asked if any thought was given to the front entryway to make any changes. Associate Planner Akin stated that there were no comments made at the Arch review meeting.

Public Hearing Opened

The project architect was present to answer questions. He stated that the homeowner's budget did not allow for them to make a tandem garage. Also, in regards to making changes to the entryway the owner wanted to keep everything the way it was originally.

Public Hearing Closed

Commissioner Johnson requested that the architect have a discussion with the homeowner regarding the front door. She feels that it should be more integrated with the rest of the house.

Motion Sammut/Second Marshall

VOTE:	6-1-0
AYES:	6
NOES:	Chase
ABSTAIN:	0

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, August 7, 2004, and notices were mailed to property owners within 300 feet of the project site on August 6, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.
9. Property is in the San Bruno Redevelopment Area.

CONDITIONS FOR APPROVAL

Community Development (1-7)

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use

Permit 04-38 & MM-04-07 shall not be valid for any purpose. Use Permit 04-38 & MM-04-07 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings
3. The request for a Use Permit for an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on August 17, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Fire Department (8-9)

8. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
9. Hardwire smoke detectors in shall be installed in the addition area.

Public Works Department (10-13)

10. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
11. An encroachment permit shall be obtained through the Public works Department prior to issuance of the Building Permit.
12. No fence, retaining wall, or other permanent structure shall be places within 2' from the back of the sidewalk.
13. Install a sanitary sewer lateral clean-out per City standards.

10. 1450 Greenwood Way

Request for a use permit to allow construction of an addition which proposes greater than 2,800 square feet of gross floor area while only having a two-car garage, per Section 12.200.080 of the San Bruno Zoning Ordinance. – Holger Menendez (Architect); Cristina Flores (Owner) **UP-04-39**

Associate Planner Aknin entered staff report. Staff recommends that the Planning Commission **approve** Use Permit 04-36 based on Findings of Fact (1-8) and Conditions of Approval (1-16).

Associate Planner Aknin reminded the Commission that they are only making a decision on the actual work that is being proposed at this address, and not the senior Care Facility portion of the application. That is regulated by the State, and as long as there are 6 or less patients they allowed in residential neighborhoods. If they reduced their project by 60 square feet, they would be able to get a permit by going straight through the Building Department. Commissioner Tobin asked if that limits the Commission as to what Conditions of approval they could put on this application. City Attorney Thompson stated that there would have to be a nexus between what the condition is, and the request before them. Commissioner Marshall asked if the family room addition was done with permits. Associate Planner Aknin stated that it was. Commissioner Johnson asked if sprinklers were not required in a 24-hour care facility. Associate Planner stated that Fire department did not require them, but if it turns out that it is required, it will happen, because they also have to meet all California State requirements. Commissioner Johnson asked to have staff double check the sprinkler requirement.

Public Hearing Opened

Mr. Menendez, project architect, was present. Commissioner Chase stated that they received a letter stating that there was a possible conversion of the front living room and dining room into bedrooms. Mr. Menendez replied that the living room is the only way that one can get into the house, so there is no way that would be a bedroom. Commissioner Schindler stated that when he went out to the site, the room that is labeled on the plans as a library is a bedroom.

Neighbor on Greenwood Way asked how many bedrooms would be at this location. Application says 5 but if the library is included it will now be a 6-bedroom facility. AP Aknin stated that since the application that is being presented states that it is a 5-bedroom facility with a library that is what their approval would be for. If they decided that they want to convert the library into a bedroom, the bedroom would have to meet bedroom requirements (egress) and California State requirements for a residential care facility for a sleeping room. Commissioner Johnson asked how they could be assured that the library would not be used as a bedroom. AP Aknin stated that in the conditions of approval, that this be used as a library as stated in the proposed plans, and that any changes to the proposed plans requires an amendment to the Use Permit. Neighbors on Greenwood stated that parking would become a large issue with a 5 or 6 bedroom house, if this place were sold in the future. Commissioner Johnson asked staff what would happen in the future if this house were put up for sale. CDD Williams replied that they would have to convert this back to a residence. And if they were to convert the library into a bedroom without approval, it would become a code enforcement case. If someone down the road purchased this home, and wanted to make any changes to it, it would have to go through the building process. But if someone bought this as is, and made no changes, they would be purchasing a 5-bedroom house with a library. Commissioner Tobin asked staff to let the public know how tied the Commission's hands are in this situation. CDD Williams replied that the State of California prohibits cities from regulating, conditioning, permitting residential care facilities with 6 people or less. If the neighborhood monitors this facility and it is brought to the City's attention that there seems to be a parking problem or additional activity, they are to contact Community Development Department for investigation. Commissioner Tobin wanted to have it on record to have a sprinkler system aggressively looked into. If the fire department said it was ok without, then he is ok with that, but he would like it reviewed again.

Motion Petersen/Second Schindler

VOTE: 5-2-0
AYES: 5
NOES: 2 (Chase, Tobin)
ABSTAIN: 0

(Chair Petersen advised of 10-day appeal period.)

FINDINGS FOR APPROVAL

1. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, August 7, 2004, and notices were mailed to property owners within 300 feet of the project site on August 6, 2004.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorical Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the existing structure and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for low-density residential purposes.
8. The off-street parking will be adequate for the residence.

CONDITIONS FOR APPROVAL
Community Development (1-9)

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 04-39 shall not be valid for any purpose. Use Permit 04-39 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings
3. The request for a Use Permit for an addition to an existing dwelling shall be built according to plans approved by the Planning Commission on August 17, 2004, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence and garage shall be used only as a single-family residential dwelling unit. No portion of the residence or garage shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. The second story addition behind the kitchen must be removed. If Building Permits are not secured for this proposal within three months, the applicant shall remove this illegally constructed area immediately.
9. The downstairs "staff kitchen area" must be removed or brought up to current code. Current San Bruno Zoning Code only allows one kitchen per single-family residence.

Fire Department (10-11)

10. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
11. Hardwire smoke detectors in shall be installed in the addition area.

Public Works Department (12-16)

12. Storm water from new addition and garage roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
13. An encroachment permit shall be obtained through the Public works Department prior to issuance of the Building Permit.
14. No fence, retaining wall, or other permanent structure shall be places within 1.5' from the back of the sidewalk.
15. Install a sanitary sewer lateral clean-out per City standards.

16. City approved backflow required for domestic fire line. Include calculations showing existing or new meter size will be sufficient for required flows. Show location of backflow units on plans.

11. 249 El Camino Real

Appeal of the Community Development Director's decision to deny Sign Permit 04-11 per Chapter 12.104 of the San Bruno Zoning Ordinance. Betty Ong (applicant/business owner); Salvador & Carmelita Callejo (Property Owners).

Associate Planner Akin entered staff report. Staff recommends that the Planning Commission uphold the Community Development Director's decision and deny Sign Permit 04-11 based on findings for denial in this staff report.

AP Akin explained to the commissioners the violations that were found with the signage. Commissioner Marshall was surprised that the freestanding sign was not legal. He agreed that the signs on the windows did not look good. He asked if the sign was legal when it was originally put up. AP Akin replied that it was probably put up 40 – 50 years ago, before the current sign code was adopted. He does not believe that a permit was issued for this sign at that time. The City adopted it in March 1981. Commissioner Marshall asked if staff could go out and look at all signs in the City and make them change them to be legal. He felt it was unfair that the City is asking for the sign to be removed after being there for 40 – 50 years with no complaints. CDD Williams reminded the Commission that this sign was changed without a permit, and because of the fact that it is a projecting sign it violates the current sign code. It does not allow projecting signs in the right of way for more than 12 inches. When a business changes hands and a new sign is installed is when this code is enforced. Commissioner Johnson asked when a person obtains a business permit, if there is a checklist for them of things that are going to be required. Also, she wanted to know what would happen if it is a new owner for an existing business. Would the new sign code be enforced then? CDD Williams stated that it would only be enforced when the sign changes. And yes, there is a system within the city that provides a checklist as to what is required for an applicant.

Public Hearing Opened

Mr. Salvador Callejo, owner, was present to answer questions. He purchased this property in 1971. When he purchased it, the owner told him to never get rid of the sign. It was grandfathered in. He also said that the sign has helped him make a lot of money over the years. Ms. Carmelita Callejo said that the sign has been a very good sign for them over the years, and does not understand why they can't keep the sign now. It has been there for over 40 years, and nothing is wrong with it. Mr. Callejo said that the Mayor's building, Prudential Realty sign goes out to the curb. He should take his down first, if this is going to be enforced in San Bruno.

Public Hearing Closed

Chair Petersen asked staff to take a look at Prudential Realty's sign.

Commissioner Tobin asked if the sign that is currently there a safety hazard? He agreed that there is too much signage on this property with the one on the side of the building, the ones on the windows. CDD Williams stated that they are allowed a total number of square footage, based on the size of the front of their building. In this situation, the wall signs are legal. The projecting sign is the one that is in violation. The Chief Building Official stated that it is not a danger though. Commissioner Tobin said there should be a trade off, perhaps allowing the protruding sign if the other ones are removed. CDD Williams stated that could be regulated by the Commission and staff.

Commissioner Chase feels that the designs of the signs on the side of the building are esthetically unattractive. Chair Chase asked Staff if the commission feels that the esthetics of the signs are unacceptable, can they also recommend that staff look into that part of the signage. Commissioner Sammut thought that they were discussing the sign ordinance, not esthetics. Commissioner Sammut suggested finding an alternative where they don't have to completely remove the sign, but perhaps relocate it. He suggested putting it on the roof of the building, and then the issue of it being in the public right of way anymore. Commissioner Johnson feels that they need to comply with the ordinance. She suggested that the owner of building and business get together to come up with a solution.

Commissioner Tobin felt that the suggestion to relocate the sign to make it comply with the Sign Ordinance was a good idea. He wanted to know how possible or feasible this was. CDD Williams replied that based on the decision that the Planning Commission is going to make, he wants to help the applicant and building owner to get an actual sign design for the different sides of the building.

Commissioner Marshall asked, if the Commission voted to agree with the denial for Sign Permit 04-11, do they have to take all the signs down? CDD Williams replied that they would have to bring all the signs into conformance, the ones in the window are not in conformance, nor is the projected sign.

Motion Johnson /Second Schindler decision to deny Sign Permit 04-11

VOTE:	7-0-0
AYES:	7
NOES:	0
ABSTAIN:	0

(Chair Petersen advised of 10-day appeal period.)

FINDING FOR DENIAL

1. Notice:

- A. Proper notice of the public hearing was given by legal notice published in the San Mateo Times, Saturday, August 7, 2004, and notices were mailed to property owners within 300 feet of the project site on August 6, 2004, with the public meeting held before the San Bruno Planning Commission on August 17, 2004
- B. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony at the August 17, 2004 Public Hearing was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
- C. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.

2. Sign Request:

A. Legal requirements:

- 1) Pursuant to San Bruno Municipal Code sign permit 04-11 is in violation of the following sections of the San Bruno Municipal Code and therefore must be denied:

- a. **SBMC Section 12.104.020:** Except as otherwise provided in this chapter, no person shall place any sign upon real property unless he first shall have applied for and received a sign permit from the building inspector, shall have complied with all applicable provisions of this chapter, and shall have received the approval of the architectural review committee or the planning director, where required.
- b. **SBMC Section 12.104.080.A:** Projecting from Property Line Over Public Right-of-way. Maximum, one foot. Barber poles shall not project more than one foot from the face of the building.
- c. **SBMC Section 12.104.230.D.2:** A nonconforming projecting sign shall either be removed or modified to comply with the provisions of Section 12.104.080 whenever the business, establishment, facility, or enterprise to which such sign and its sign copy relate cease to be operative.
- d. **SBMC Section 12.104.140.A.:** When there is more than one business, establishment, facility, or enterprise on a single lot, no additional sign shall be placed thereon, nor shall any existing sign be replaced unless the planning director shall have reviewed the proposed sign in accordance with this section
- e. **SBMC Section 12.104.140.B:** The applicant shall submit drawings and sketches showing the proposed type, location, height, color scheme, type of illumination, construction materials, setbacks, sign area, and sign copy for any proposed sign, and similar information as to other signs on the lot. The planning director shall approve the proposed sign only if he finds that the proposed sign will be compatible and harmonious with its own elements, existing signs on the lot, and the surrounding vicinity.
- f. **SBMC Section 12.104.120:** The aggregate sign area of signs placed in or on a window shall not exceed twenty-five percent of the area of such window.

B. Facts:

- 1) One projecting sign is currently installed at 249 El Camino Real and displays the name of current tenant (Betty Ong Real Estate/US Pacific Loans Inc.);
- 2) The subject signs were installed without the approval of the Community Development Director and/or Building Official;
- 3) The Community Development Director was made aware of the sign's installation via the Code Enforcement Division;
- 4) The applicant submitted a sign application to the Planning Division after being informed by the San Bruno Code Enforcement Division;
- 5) The projecting sign as installed project approximately 36" over the public right of way;
- 6) The applicant's business began to operate at this location in March of 2004.
- 7) The previous business, "Sheepskin Expo" ceased operation at the subject location in December of 2002;
- 8) There are two business names displayed at the subject location and a total of 4 wall signs displaying the names;
- 9) The applicant did not request permission or submit an application to allow multiple business names/signs at this location;
- 10) The Community Development Director denied the wall sign portion of the application because the over proliferation signs detracts from the appearance of the building and surrounding area;
- 11) The signage as installed does not comply with the window sign provision of the zoning ordinance.

C. Conclusions:

- 1) The applicant installed the signage without first inquiring about today's sign regulations and therefore did not get direction from Planning Staff;
- 2) The projecting sign as installed projects approximately 36" over the public right way (sidewalk), where the maximum amount of projection is 12";
- 3) The previous business "Sheepskin Expo" ceased to operate in December of 2002; the owner of the building was required to remove the nonconforming sign at that time. Any business at this location after "Sheep Skin Expo" must have conforming signs.
- 4) The applicant's projecting sign shall be removed, as they are not in conformance with sections 12.104.020, 12.104.080.A, & 12.104.230.D.2 of the San Bruno Municipal Code.
- 5) The applicant should reduce the number of walls to two; one sign on the north facing wall and one sign on the east facing wall;
- 6) The applicant shall remove the required amount of window signage so it complies with section 12.104.120 of the Zoning Ordinance.

12. **Staff Discussion**

N/A

13. **Planning Commission Discussion**

N/A

Tom Williams,
Secretary to the Planning Commission
City of San Bruno

Perry Petersen, Chair
Planning Commission
City of San Bruno

NEXT MEETING: September 21, 2004

TCW/tb

Adjourned at: 10:00 p.m.